REMARKS

In the Office Action, the Examiner indicated that Claims 1 through 24 are pending in the application and the Examiner rejected all claims.

Claim Rejections, 35 U.S.C. § 102

On page 3 of the Office Action, the Examiner rejected Claims 1-24 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,141,007 to Lebling et al.

The Present Invention

The present invention teaches a user interface mechanism that introduces a concept referred to as a "non-overlapping workspace". In a preferred embodiment, a system user can switch between a traditional overlapping workspace (where multiple windows literally overlap) to a non-overlapping workspace depending upon how the user wishes to move and manage objects or windows in the workspace. A user first selects to enter non-overlapping mode in the workspace. Next, a user moves a selected object to relocate it within the work area and if its border touches another object while moving in a particular direction, the selected object pushes (rather than overlaps) the other object in the same direction. Claim 1 specifically recites these steps as follows: "configuring said GUI into a non-overlapping workspace; situating at least two of said objects in said non-overlapping workspace; and pushing a second of said objects in said non-overlapping workspace when a first of said objects comes in contact with said second of said objects while being moved."

U.S. Patent No. 6,141,007 to Lebling et al.

U.S. Patent No. 6,141,007 to Lebling et al. ("Lebling") teaches a graphical user interface for displaying a workspace including non-overlapping, cooperating panels. A first of the panels displays a queue of news stories from a selected data file. A second panel displays the text of a news story selected from the queue. The workspace is displayed in a main application window on a display screen of a computer system that is coupled to a network. The first and second panels may share a common moveable border. A third panel may also be displayed that includes a directory tree of data files from which the selected data file is selected.

The Cited Reference Does Not Anticipate the Claimed Invention

The MPEP and case law provide the following definition of anticipation for the purposes of 35 U.S.C. §102:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 citing *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)

The Examiner Has Not Established a *Prima Facie* Case of Anticipation

As noted above, the present claimed invention includes configuring a GUI into a non-overlapping workspace and pushing a second object in the workspace with a first object when the first object comes into contact with the second rather than overlapping the second object. These features, specifically pushing an object with another, are not taught or reasonably disclosed by the prior art.

Lebling teaches a graphical user interface (GUI) for displaying a workspace including a set of panels which are always configured to be non-overlapping, and are organized as such. When a new panel is opened, the other panels re-size and rearrange each as necessary to accommodate the new panel. Similarly, if a toolbar is added by a user, the toolbar is sized and place appropriately so as to not overlap any other window. However, one feature lacking from Lebling is the ability to push a second panel, or object, with a first panel as is specifically claimed in the present invention. The Examiner cites column 5, lines 30-65 as teaching pushing a second panel with a first panel. Applicants disagree with the Examiner's interpretation of this citation. Rather than teaching pushing a panel, Lebling is teaching re-sizing panels in the workspace and how this affects the surrounding windows, and specifically, how the other panels are resized. No mention is made in this citation as to pushing a panel with another panel and actually moving the panel on the screen as is specifically claimed in the present invention. In fact, Lebling as a whole is silent on the idea of pushing a panel with another panel.

Without a teaching of all the claimed limitations of the present invention, Lebling cannot be said to anticipate the present invention. Accordingly, each of the independent claims (Claims 1, 9 and 17), and all claims depending therefrom, patentably define as novel over the Lebling and are in condition for allowance.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted,

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